UNITED STATES DISTRICT COURT

for the

District of New Mexico

In the Matter of the Search of *(Briefly describe the property to be searched or identify the person by name and address)* 19 J J Henry Road, La Luz, New Mexico 88337	)	Case No. 18-857 MR

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the ____________ District of New Mexico *(identify the person or describe the property to be searched and give its location)*:

See Attachment A, hereby incorporated by reference.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal *(identify the person or describe the property to be seized)*:

See Attachment B, hereby incorporated by reference.

YOU ARE COMMANDED to execute this warrant on or before 23 Sep 2018 *(not to exceed 14 days)*

☑ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Gregory B. Wormuth, United States Magistrate Judge.

(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized *(check the appropriate box)*

☐ for ____ days *(not to exceed 30)* ☐ until, the facts justifying, the later specific date of ____________.

Date and time issued: 10 Sep 2018 1015 hrs

[signature]

Judge's signature

City and state: Las Cruces, New Mexico

Gregory B. Wormuth, United States Magistrate Judge

Printed name and title

Return

Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:

Inventory made in the presence of :

Inventory of the property taken and name of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: ____________________

____
Executing officer's signature

____
Printed name and title

ATTACHMENT A

DESCRIPTION OF LOCATION TO BE SEARCHED

The residence located at 19 J J Henry Road, La Luz, New Mexico 88337 is a single story manufactured home. The home's exterior is comprised of beige colored siding with a gable roof. When looking at the residence from J J Henry Road, the front door is inset at the right of the residence. A ramp lads up to the front door. The front door is covered by a white colored metal storm door. Directly to the left of the front door is a small window with white trim. Affixed to the front of the house are the numbers "19" and the work "Cope". The property consists of approximately one half acre, containing the manufactured home and three other buildings. The entire property is surrounded by a fence. The fence running along the front of the property is a wood privacy fence, and the remainder of the property is surrounded by a combination of chain link and wire fences. The other out buildings cannot be observed from the grounds outside of the fences, but have been observed via online publicly available aerial maps. No air surveillance has been conducted. Three large recreation vehicles are parked on the property. There are also multiple vehicles parked on the property, all of which are registered to one of the inhabitants of the property.

This location to be searched includes all buildings located at this address, as well as recreational vehicles and vehicles, insofar as items contained in Attachment B may reasonably be expected to be found in any of these buildings or vehicles.

ATTACHMENT B

ITEMS TO BE SEIZED

Any and all evidence of violations of possession of child pornography under 18 U.S.C. § 2252A(a)(2) (receipt and distribution of child pornography) and 18 U.S.C. § 2252A(a)(5)(B) (possession of child pornography) that Joshua Cope has access to including but not limited to:

1. Any and all computer(s), computer hardware, computer software, electronic storage media (including any and all disk drives, compact disks, flash drives, cellular telephones, personal digital assistants (PDS), digital cameras and/or memory cards, or any other device capable of electronic storage of data and/or images), computer-related documentation, computer passwords and data-security devices, videotapes, video-recording devices, video-recording players, and video display monitors that are or may be used to: visually depict child pornography or child erotica; display or access information pertaining to a sexual interest in child pornography; display or access information pertaining to sexual activity with children; or distribute, possess, or receive child pornography or child erotica.

2. Any cell phone possessed by Joshua Cope.

3. In any format and medium, all originals, computer files, copies, and negatives of child pornography as defined in 18 U.S.C. § 2256(8), visual depictions of minors engaged in sexually explicit conduct as defined in 18 U.S.C. § 2256(2), or child erotica.

4. Any and all diaries or address books containing names or lists of names and addresses of individuals who have been contacted by use of the computer(s) or by other means for the purpose of distributing or receiving child pornography as defined in 18 U.S.C. § 2256(8), or visual depictions of minors engaged in sexually explicit conduct as defined in 18 U.S.C. § 2256(2).

5. Any and all notes, documents, records, or correspondence, in any format or medium (including envelopes, letters, papers, email messages, chat logs and electronic messages, and handwritten notes), identifying persons transmitting, through interstate or foreign commerce by any means (including the United States mail or computer) any child pornography as defined in 18 U.S.C. § 2256(8) or any visual depictions of minors engaged in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2).

6. Any and all records, documents, invoices and materials, in any format or medium (including envelopes, letters, papers, email messages, chat logs and electronic messages, and other digital data files) that concern any accounts with an internet service provider.

7. Any and all cameras, film, videotapes or other photographic equipment capable of being used to produce, manufacture, store and/or conceal visual depictions of minors engaged in sexually explicit conduct as defined in 18 U.S.C. § 2256(2).

8. Any and all diaries, notebooks, notes, and other records reflecting personal contact and other activities with minors visually depicted while engaged in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2).

9. Any and all documents, records, or correspondence, in any format or medium (including envelopes, letters, papers, email messages, chat logs and electronic messages, and other digital data files), pertaining to the identity of any and all owners and/or users of any computers, computer media and any electronic storage devices discovered in the premises and capable of being used to produce, manufacture, store and/or conceal visual depictions of minors engaged in sexually explicit conduct as defined in 18 U.S.C. §2256(2).

GPws